

No. 4930-4L-75/16248.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the Management of M/s Metal Box Company of India Ltd., N. I. T., Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 119 of 1973

between

SARI V. K. NAIR, WORKMAN CONCERNED AND THE MANAGEMENT OF M/S METAL BOX COMPANY OF INDIA LTD., N. I. T. FARIDABAD.

Present :—

Shri V. K. Nair concerned workman with Shri Sagar Ram Gupta authorised representative.

Shri Jagdip Singh and C. M. Lal, for the management.

AWARD

Shri V. K. Nair workman concerned was in service of M/s Metal Box Company of India Ltd., N. I. T., Faridabad. The following dispute between him and the management was referred for adjudication to this Tribunal by order No. ID/FD/42/73/31438, dated 2nd July, 1973 of the Governor of Haryana, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the action of the management suspending Shri V. K. Nair for the following period was justified and in order? If not, to what relief is he entitled.

- (1) 31st August, 1972 to 23rd November, 1972.
- (2) 24th November, 1972 to 28th November, 1972.

The parties put in their respective pleadings giving rise to the following issues :—

- (1) Whether Shri V. K. Nair, complainant is a workman concerned under section 2(s) of the Industrial Dispute Act, 1947? (On complainant).
- (2) Whether the present complaint does not disclose any cause of action and disconceive? (On opposite party).
- (3) Whether there has been a contravention of the provisions of section 33 of the Industrial Disputes Act as alleged by the complainant? If so, to what relief is he entitled to? (On complainant).

No evidence has yet been led on the above issues on either sides. It is, however, not necessary to go into the merits of the case and the issues involved as an amicable settlement has been arrived at between the parties as per terms and conditions given in the memorandum of settlement dated 29th April, 1975 Ex. M-1. Statements of the parties have been recorded.

Shri V. K. Nair, workman concerned has received Rs. 43,392.80, in full and final settlement of his entire claims against the management in accordance with the above settlement and there is now no dispute left between the parties.

In view of the above, no dispute award is given in terms of the above settlement arrived at between the parties holding that the workman concerned is not entitled to any other relief. No order as to costs.

Dated the 30th April, 1975.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 767, dated the 6th May, 1975

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 30th April, 1975.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.